

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL KUZMA,

Plaintiff,

v.

ORDER
12-CV-102A

UNITED STATES DEPARTMENT OF JUSTICE,

Defendant.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On July 20, 2012, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that plaintiff's motion for a Vaughn index [20] be deemed withdrawn and that the action be dismissed.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, plaintiff's motion for a Vaughn index [20] is deemed withdrawn and the action is dismissed.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: August 13, 2012